

AGENDA

PERSONNEL BOARD MEETING

April 12, 2013

9:30 a.m.

1. Call to Order – Swearing in of reappointed Board members Blevins and Sapp
2. Reading of the Minutes of Regular Meeting held March 8, 2013
Minutes Signed
3. Executive Director and Secretary’s Report
Lemon Moore v. Transportation Cabinet – Order in compliance with Order from
Franklin Circuit Court
4. Report of the Personnel Cabinet
5. **Oral Arguments**
 - A. William Adkins v. Justice and Public Safety Cabinet (Corrections)
 - B. Shena Back v. Justice and Public Safety Cabinet (Corrections)
(Request by Appellee) (**Passed from March Meeting**)
 - C. Curtis Gamble v. Tourism, Arts and Heritage Cabinet (KSFB) (Request by
Appellant)
 - D. Catherine Partlow v. Justice and Public Safety Cabinet (Request by Appellee)
 - E. Dottie Stone v. Justice and Public Safety Cabinet (Request by Appellant)
6. **Motions**
 - A. Jenny Howard v. Cabinet for Health and Family Services
 - a. Appellant’s Motion to Remand the Appeal for Further Hearing
Appellee’s Response to Motion to Remand
 - b. Appellant’s Motion to Strike Appellee’s Response to Exceptions
Appellee’s Response to Motion to Strike
Appellant’s Reply to Response to Motion to Strike (Withdrawing motion)

7. **Investigations**
 - A. Update on Department of Agriculture Investigation
 - B. ~~Michael O'Brien Request—Justice and Public Safety Cabinet (Juvenile Justice)~~
~~--Appellee's Response (Follow-up)~~ (Moved to May by request of Appellant)
 - C. Transportation Reorganization Investigation – requested by
Randall Arvin and Bill Madden
8. **Closed Session**
9. **Open Session**
10. **Cases to be Decided**
 - A. William Adkins v. Justice and Public Safety Cabinet [Corrections] (2012-153)
Dismissal, drug test – appeal sustained
--Appellee's Exceptions and Request for Oral Argument
 - B. Shena Back v. Justice and Public Safety Cabinet [Corrections] (2012-101)
Dismissal, policy violation – appeal sustained
(Passed from March Meeting)
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Response to Exceptions
 - C. Curtis Gamble v. Tourism, Arts and Heritage Cabinet [KSFB] (2012-109)
Discrimination in detail to special duty – appeal dismissed
--Request for Oral Argument
 - D. Catherine Partlow v. Justice and Public Safety Cabinet [Corrections] (2012-166)
10-day suspension, voting leave misuse – appeal sustained
--Appellee's Exceptions and Request for Oral Argument
 - E. Dottie Stone v. Justice and Public Safety Cabinet [Juvenile Justice] (2012-034)
5-day suspension, gun issue – sustained to the extent of changing to
1-day suspension
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions
 - F. Jenny Howard v. Cabinet for Health and Family Services (2012-203)
Dismissal – appeal dismissed
--Appellant's Exceptions
--Appellee's Response to Exceptions

- G. Oda Barnes v. Cabinet for Health and Family Services (2012-060)
3-day suspension, time usage issue – appeal sustained to the extent of
changing to 1-day suspension (**Deferred from March Meeting**)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response to Exceptions
- H. Scherry Griffin v. Cabinet for Health and Family Services (2011-227)
Demotion – appeal dismissed (**Deferred from February**)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Response to Appellee's Exceptions
--Appellee's Response to Appellant's Exceptions
- I. Earl D. Gardner v. Transportation Cabinet (2011-193)
Dismissal, poor work performance – appeal sustained to the extent of
imposing a 30-day suspension
--Appellee's Exceptions
*** --Appellant's Response to Exceptions
- J. Vickie Brockman v. Cabinet for Health and Family Services (2012-079)
Hostile work environment – appeal dismissed
- K. Vickie Brockman v. Cabinet for Health and Family Services (2012-081)
Verbal reprimand – appeal dismissed, no jurisdiction
- L. John Carter v. Transportation Cabinet (2012-061)
Probationary dismissal – appeal dismissed
- M. Helen Cowherd v. Justice and Public Safety Cabinet [Corrections] (2012-202)
3-day suspension, vacation leave without pay – appeal dismissed
- N. Antoinette Hills v. Cabinet for Health and Family Services (2012-121)
Probationary dismissal, discrimination – appeal dismissed
- O. Cary Lyle v. Tourism, Arts and Heritage Cabinet [Parks] (2012-135)
20-day suspension – appeal sustained to the extent of imposing a 5-day
suspension
- P. Malissa Mollett v. Cabinet for Health and Family Services (2012-013)
Pay dispute – appeal dismissed

Show Cause Orders – No Response Filed – Appeals Dismissed

- Q. Christopher Dugger v. Personnel Cabinet
- R. Laura Moreno v. Cabinet for Health and Family Services
- S. Tara Walker v. Cabinet for Health and Family Services and Personnel Cabinet
- T. Peggy Washington v. Education and Workforce Development Cabinet (3 appeals)
- *** U. John Abrams v. Tourism, Arts and Heritage Cabinet (KSFB)

11. **Withdrawals**

- A. R. Wayne Baldwin v. Cabinet for Health and Family Services
- B. Korey Kopp v. Justice and Public Safety Cabinet and Personnel Cabinet
- C. Denise Ludwig v. Department of Military Affairs and Patrick Hardesty
- D. Kerry Russell v. Transportation Cabinet (2 appeals)
- E. Lawrence Simpson v. Justice and Public Safety Cabinet
- F. Travis Wallace v. Education and Workforce Development Cabinet and Personnel Cabinet
- *** G. Rhonda Pedigo v. Cabinet for Health and Family Services

12. **Settlements**

- A. Thomas Burling v. Transportation Cabinet
- B. Mary Morgan v. Justice and Public Safety Cabinet (Corrections)
- C. Donna Sego v. Transportation Cabinet
- D. Debbie Tyson v. Labor Cabinet and Personnel Cabinet
- E. Connie Zeiter v. Tourism, Arts and Heritage Cabinet (Parks)
- *** F. James Cooper v. Tourism, Arts and Heritage Cabinet (Parks)

13. **Other**